



MEMORANDUM

DATE: July 25, 1995 5400.1

TO: C. S. Evans, Remediation Services, Bldg. 080, X6982

FROM: *M. B. Murdock*
M. B. Murdock, Ecology, Bldg. T130B, X3560

SUBJECT: REPORT ON U. S. FISH AND WILDLIFE SERVICE SITE VISIT TO INVESTIGATE OWL ELECTROCUTION - MBM - 058 - 95

ADMIN RECORD

On July 21, 1995 I collected an electrocuted Great Horned Owl at the base of a Public Service Company transformer installation near the 130 trailers. This collection is in accordance with our salvage and collection permit for the U. S. Fish and Wildlife Service (USFWS). After the owl was in my possession and on the way to the Biota Field Trailer for storage in our specimen freezer, I was notified that Plant Power (now under Dyncorp) was trying to locate the owl. I contacted Plant Power, and discovered that they had notified the USFWS Law Enforcement branch of the accidental electrocution, and that enforcement personnel would be on site to collect the bird. Subsequent discussion provided information that Plant Power has had regular contact with the USFWS recently because of electrocuted birds. Since this is an important compliance issue, I investigated further. The Dyncorp person in charge of this problem is Mark Neeley, who has already taken steps to cure the bird electrocution problem. To date there are very few incidents, but Ecology had only been made aware of a portion of these incidents. I arranged to meet with Mark and deliver the owl to the USFWS agents on July 24, 1995. This meeting did not occur until July 25, 1995.

During discussions with Mark (Dyncorp) and with Leo Suazo and Roger Gephart (USFWS), I discovered that:

- A Plant Power technician had recently attended a seminar, on protecting raptors from powerlines, that was presented by the USFWS. This technician learned of penalties associated with violation of the Migratory Bird Treaty Act (MBTA) in the form of allowing electrical power system problems that electrocute raptors to continue without attempting to correct the problems.
- Plant Power managers were briefed by the returning technician on the cost and penalties for violations of the MBTA, such as would apply in the case raptor electrocutions.
- Plant Power identified some problems on the Rocky Flats system (they found electrocuted Common Ravens at possibly more than one location).
- Ecology and been independently collecting data from observations of their own that indicated that the 40-year old power installations would require some upgraded raptor protection.
- Plant Power has ordered materials for insulating some of the trouble spots, and is making arrangements with the carpenters to build and install raptor perches on powerpoles.
- Plant Power has previously been in contact with the USFWS enforcement personnel

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regarding electrocuted Common Ravens at the Site.

- USFWS enforcement personnel are currently more interested in solving the problem than in writing tickets since Plant Power is attempting to solve the electrocution problems, especially since Plant Power has sought them out for advice.
- Plant Power was, until July 21, 1995, ignorant of the existence of the Ecology group, and their responsibilities to help on wildlife compliance issues.
- Plant Power is pleased to have in-house expertise available to furnish advice and technical interface with the USFWS personnel. They are also pleased to know we have a USFWS permit that allows us to hold and preserve raptors until USFWS personnel can receive the dead birds.
- USFWS personnel were pleased to discover that we have protection procedures in place, and that personnel are assigned to ensure compliance with the MBTA and the Endangered Species Act (ESA).
- The USFWS enforcement personnel have indicated an interest in a site tour to allow them to help us evaluate possible trouble spots as apply to raptors in general, but more specifically for Bald Eagles with regard to their protection under the ESA.

Because Plant Power has initiated remedies of their own, and has already started the dialog with USFWS regarding the power system deficiencies, and since we can be most useful in an advisory role at this point in their problem solution, I would recommend that we leave the direct interfacing to them. Mark has indicated that he would appreciate advice and input as to potential problem areas, and help when bird electrocutions occur.

Should you have questions or require further information, please call me at X3560.

MBM:mbm

cc:

J. D. Krause

T. R. Ryon

L. E. Woods

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